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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CHRISTOPHER BARULICH,
individually and on behalf of all others
similarly situated,

Plaintiff,

v.

THE HOME DEPOT, INC., a Delaware
corporation, and GOOGLE LLC, a

Case No. 2:24-cv-01253

**STIPULATION TO EXTEND TIME TO
RESPOND TO INITIAL COMPLAINT
BY MORE THAN 30 DAYS (L.R. 8.3)**

Complaint Served: February 23, 2024
Current Deadline: March 14, 2024
New Response Date: May 13, 2024

1 Delaware limited liability company,
 2 Defendants.

3
 4 Pursuant to Civil Local Rule 8.3, Plaintiff Christopher Barulich (“Plaintiff”),
 5 Defendant Google LLC (“Google”), and Defendant The Home Depot, Inc. (“Home
 6 Depot”) (collectively, “Parties”), by and through their respective counsel, stipulate
 7 and agree as follows:

8 RECITALS

9 WHEREAS, Plaintiff filed a Class Action Complaint in this action
 10 (“Complaint”) against Google and Home Depot on February 14, 2024 (ECF No. 1);

11 WHEREAS, Google and Home Depot were served with the Summons and
 12 Complaint on February 22, 2024 (ECF Nos. 15-16);

13 WHEREAS, the deadline for Google and Home Depot to answer or otherwise
 14 respond to the initial Complaint is currently March 14, 2024;

15 WHEREAS, Google and Home Depot each requested and Plaintiff agreed to
 16 extend each of Google’s and Home Depot’s time to answer or otherwise respond to
 17 the initial Complaint by sixty (60) days through and until May 13, 2024 (the
 18 “Extension”);

19 WHEREAS, the Extension is more than thirty (30) days from the date Google
 20 and Home Depot’s respective responses would initially have been due, but will not
 21 alter the date of any event or deadline already fixed by Court order;

22 WHEREAS, good cause exists for the requested extension. See *Brooke v.*
 23 *Treasure Mountain Holdings, LLC*, 2022 WL 18399972, at *2 (C.D. Cal. Apr. 12,
 24 2022) (“to show good cause for a continuance, a party must provide specific, detailed,
 25 and non-conclusory reasons for granting the extension, including a showing of
 26 diligence in pursuing the litigation”). Specifically, Google and Home Depot only
 27 recently retained counsel in this action, and both defendants need additional time to
 28 assess the claims and defenses at issue, investigate the facts surrounding Plaintiff’s

1 allegations, identify the governing contractual agreements, locate any records of
 2 Plaintiff's alleged calls to Home Depot, assess any related affirmative defenses, and
 3 explore consolidation of this case with *Ambriz v. Google LLC*, No. 23-cv-05437,
 4 which was filed on October 23, 2023 and is currently pending before Judge Lin in
 5 the Northern District of California. The Parties have already diligently pursued this
 6 litigation by investigating the issues listed above, and seek additional time to
 7 complete this investigation prior to responding to the Complaint. Further, the
 8 requested extension is for 60 days, the amount of time Google and Home Depot
 9 would have had to respond to the Complaint had Plaintiff sought a waiver of service
 10 (which defendants would have agreed to).

11 WHEREFORE, good cause having been shown, Plaintiff, Google, and Home
 12 Depot stipulate and request that the Court enter an order as follows:

- 13 1. The time for Google and Home Depot respectively to respond to the initial
 14 Complaint shall be extended by 60 days through and until May 13, 2024.
- 15 2. Nothing herein shall be deemed a waiver of any rights or defenses by Google,
 16 Home Depot, or Plaintiff.

17 Dated: March 12, 2024

COOLEY LLP

19 By: /s/ Kristine A. Forderer
 20 Kristine A. Forderer

21 *Attorney for Defendant Google LLC*

1 Dated: March 12, 2024

KINSELLA HOLLEY ISER KUMP
STEINSAPIR LLP

2
3
4 By: /s/ Nicholas C. Soltman
Nicholas C. Soltman

5 *Attorney for Plaintiff and the Putative*
6 *Class*

7
8 **ATTESTATION**

9 Pursuant to Civil Local Rule 5-4.3.4(a)(2)(i), I hereby attest that all signatories
10 listed, and on whose behalf the filing is submitted, concur in the filing's content and
11 have authorized the filing.

12 /s/ Kristine A. Forderer
13 Kristine A. Forderer